



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

1648
#14
Elec. Amet.
12/3/02

Application No.: 09/831,182

Date: November 11, 2002

Applicant: Stefano Colloca

Examiner: Winkler, Ulrike
Group Art Unit 1648

Filed: 07/18/2001

For: "CELLS FOR THE PRODUCTION
OF HELPER DEPENDENT
ADENOVIRAL VECTORS, METHODE
FOR THE PREPARATION AND
USE THEREOF"

Our Ref: 618769-8-9/RPB/TL/B-4175

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Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

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Sir:

This paper is filed in response to the Office Action, dated October 11, 2002.

In the Office Action, the Examiner requires the restriction of the following patentably distinct species of the claimed invention under 35 U.S.C. 121 and 372:

Group I, Claims 1-25 and 27, drawn to a cell (composition I) for the production of helper dependent adenoviral vectors and

Group H, Claim 26, drawn to an adenoviral vector (composition II)

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The Applicant respectfully traverses the election requirement. The Applicant hereby requests that Claim 26 be amended to read as follows:

Composition comprising the cell according to claim 1, a vehicle or a carrier, said composition being free of contaminating helper viruses.

Support for the amended claim 26 can be found on pages 16 and 17 of the description. Applicant asserts that the invention as claimed in currently pending Claims 1 to 25 and 27 and amended Claim 26 relates to a single general inventive concept, because all